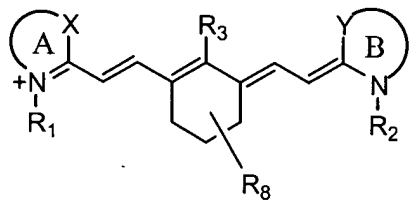
IN THE CLAIMS

Please cancel claims 1-28 and add new claims 29- as follows:

Claims 1. - 28. (Canceled).

29. (New) The use of a fluorescent label in a particle for detecting an analyte comprising a particle having a fluorescent label of the formula:



wherein:

A and B each independently represent ring structures with sufficient carbon atoms to make up a cyanine nuclei;

X and Y are each independently selected from the group consisting of O, S, NR_9, and CR_9R_{10};

R_1 and R_2 are each independently selected from the group consisting of H, C_1-C_{20} alkyl, C_1-C_{20} haloalkyl, C_1-C_{20} alkylene, and C_1-C_{20} haloalkylene;

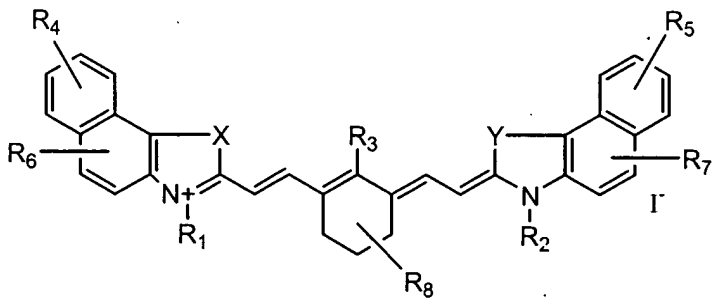
R_3 is selected from the group consisting of H, halogen, OH, OR_{11}, SR_{11}, $NR_{11}R_{12}$, C_1-C_6 alkyl, C_1-C_6 alkylene, C_3-C_6 cycloalkyl, C_3-C_6 cycloheteroalkyl, C_3-C_6 cycloalkylene, C_3-C_6 cycloheteroalkylene, phenyl, biaryl, heteroaryl, and heterobiaryl, wherein the C_1-C_6 alkyl, C_1-C_6 alkylene, C_3-C_6 cycloalkyl, C_3-C_6 cycloheteroalkyl, C_3-C_6 cycloalkylene, C_3-C_6 cycloheteroalkylene, phenyl, biaryl, heteroaryl and heterobiaryl groups are unsubstituted or substituted with halogen, OH, C_1-C_4 alkyl, or C_1-C_4 haloalkyl;

R_8 is selected from the group consisting of C_1-C_4 alkyl, and C_1-C_4 haloalkyl;

R_9 and R_{10} are each independently selected from the group consisting of hydrogen, C_1-C_4 alkyl, and C_1-C_4 haloalkyl; and

R_{11} and R_{12} are each independently selected from the group consisting of C_1-C_6 alkyl, C_3-C_6 cycloalkyl, phenyl, biaryl, heteroaryl, or heterobiaryl, wherein the C_1-C_6 $alky_1$, C_1-C_6 cycloalkyl, phenyl, biaryl, heteroaryl, and heterobiaryl groups are unsubstituted or substituted with halogen, OH, C_1-C_4 alkyl, or C_1-C_4 haloalkyl, or when R_3 represents $NR_{11}R_{12}$, R_{11} and R_{12} may be taken together to form an optionally substituted C_3-C_6 aliphatic or C_3-C_6 aromatic heterocyclic ring.

30. (New) The use of a fluorescent label according to Claim 29 of the formula:

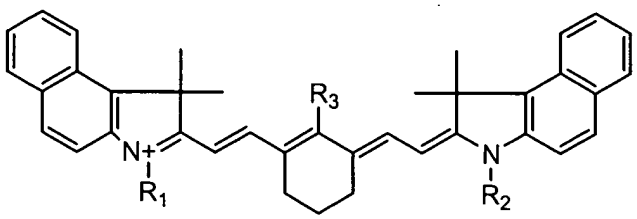


wherein:

R_4, R_5, R_6, and R_7 are each independently selected from the group consisting of hydrogen, halogen, OH, C_1-C_4 alkyl, or C_1-C_4 haloalkyl, phenyl, and heteroaryl.

31. (New) The use of a fluorescent label according to Claim 31 wherein R_1 and R_2 are identical.

32. (New) The use of a fluorescent label according to Claim 31 of the formula:



wherein:

R_1 and R_2 are each independently a C_1-C_{20} alkyl; and

R_3 is H, halogen, or –S-phenyl.

33. (New) The use of a fluorescent label according to Claim 29 wherein the ring structures represented by A and B are each independently a benzoindole ring.

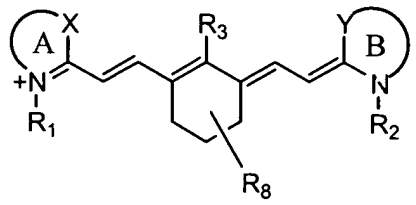
34. (New) The use of a fluorescent label according to Claim 29 wherein the fluorescent label has a near-infrared excitation wavelength.

35. (New) The use of a fluorescent label according to Claim 29 wherein the fluorescent label has an emitting light greater than 750 nm.

36. (New) A method for incorporating a fluorescent label into a particle comprising:

a) preparing a suspension of particles; and

b) adding a solution of two or more fluorescent labels to the suspension, thereby incorporating the fluorescent labels into the particles, where at least one fluorescent label is a compound of the formula:



wherein:

A and B each independently represent ring structures with sufficient carbon atoms to make up a cyanine nuclei;

X and Y are each independently selected from the group consisting of O, S, NR_9, and CR_9R_{10};

R_1 and R_2 are each independently selected from the group consisting of H, C_1-C_{20} alkyl, C_1-C_{20} haloalkyl, C_1-C_{20} alkylene, and C_1-C_{20} haloalkylene;

R_3 is selected from the group consisting of H, halogen, OH, OR_{11}, SR_{11}, $NR_{11}R_{12}$, C_1-C_6 alkyl, C_1-C_6 alkylene, C_3-C_6 cycloalkyl, C_3-C_6 cycloheteroalkyl, C_3-C_6 cycloalkylene, C_3-C_6 cycloheteroalkylene, phenyl, biaryl, heteroaryl, and heterobiaryl, wherein the C_1-C_6 alkyl, C_1-C_6 alkylene, C_3-C_6 cycloalkyl, C_3-C_6 cycloheteroalkyl, C_3-C_6 cycloalkylene, C_3-C_6 cycloheteroalkylene, phenyl, biaryl, heteroaryl and heterobiaryl groups are unsubstituted or substituted with halogen, OH, C_1-C_4 alkyl, or C_1-C_4 haloalkyl;

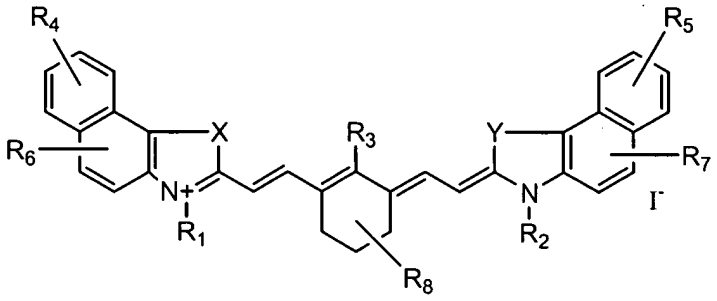
R_8 is selected from the group consisting of C_1-C_4 alkyl, and C_1-C_4 haloalkyl;

R_9 and R_{10} are each independently selected from the group consisting of hydrogen, C_1-C_4 alkyl, and C_1-C_4 haloalkyl; and

R_{11} and R_{12} are each independently selected from the group consisting of C_1-C_6 alkyl, C_3-C_6 cycloalkyl, phenyl, biaryl, heteroaryl, or heterobiaryl, wherein the C_1-C_6 alkyl, C_1-C_6 cycloalkyl, phenyl, biaryl, heteroaryl, and heterobiaryl groups are unsubstituted or substituted with halogen, OH, C_1-C_4 alkyl, or C_1-C_4 haloalkyl, or when R_3 represents $NR_{11}R_{12}$, R_{11} and R_{12} may be taken together to form an optionally substituted C_3-C_6 aliphatic or C_3-C_6 aromatic heterocyclic ring.

37. (New) A method according to Claim 36 wherein the particles are polymeric beads.

38. (New) A method according to Claim 36 wherein at least one of the fluorescent labels is a compound of the formula:

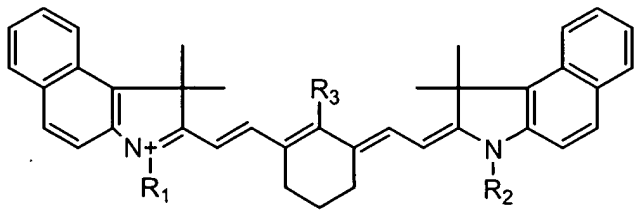


wherein:

R_4, R_5, R_6, and R_7 are each independently selected from the group consisting of hydrogen, halogen, OH, C_1-C_4 alkyl, or C_1-C_4 haloalkyl, phenyl, and heteroaryl.

39. (New) A method according to Claim 36 wherein in at least one of the fluorescent labels, R_1 and R_2 are identical.

40. (New) A method according to Claim 36 wherein at least one of the fluorescent labels is a compound of the formula:



wherein:

R_1 and R_2 are each independently a C_1-C_{20} alkyl; and

R_3 is H, halogen, or -S-phenyl.

41. (New) A method according to Claim 36 wherein in at least one of the fluorescent labels, the ring structures represented by A and B are each independently a benzoindole ring.

42. (New) A method according to Claim 36 wherein at least one of the fluorescent labels has a near-infrared excitation wavelength.

43. (New) A method according to Claim 36 wherein at least one of the fluorescent labels has an emitting light greater than 750 nm.